



ALLEGATIONS OF APPLICANT FOR MODIFICATIONS AND VARIANCES TO SUBDIVISIONS AND BINDING SITE PLANS (MMC Chapter 22G.090.820)

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Monday - Friday 7:30 AM - 4:00 PM

- A. Applications for variances are limited to the following sections of this title: MMC Sections 22G.090.550, 22G.090.600(6), 22G.090.600(13)(b), 22G.090.670 and 22G.090.810. Variances are not permitted from other sections of this title.
- B. For subdivisions and short subdivisions, a request for a variance of more than ten (10) percent shall be considered by the hearing examiner. The application shall be submitted with the subdivision or short subdivision application.
- C. For subdivisions and short subdivisions, a request for a variance of less than or equal to ten (10) percent shall be considered by the community development director. The application shall be submitted with the subdivision or short subdivision application.
- D. All variances to new lots created under this subdivision code relating to MMC Sections 22G.090.550 and 22G.090.670 shall be heard by the hearing examiner or community development director per subsections "B" and "C" of this section. The hearing examiner shall hear requests for variances made pursuant to MMC Sections 22G.090.600(6), 22G.090.600(13)(b) and 22G.090.810.
- E. In order for the community development director or hearing examiner to grant a variance, he or she must find that all of the following conditions have been met:
 - 1. There are exceptional circumstances or conditions such as: Location of existing structures, lot configuration, topographic or unique physical features that apply to the subject property which prohibit the applicant from meeting the standards of this title;
 - 2. The authorization of the variance will not be detrimental to the public welfare or injurious to the property in the vicinity or zone in which the property is located; and
 - 3. A hardship would be incurred by the applicant if required to comply with the strict application of the section or sections identified in subsection "A" of this section.

The filing of an application with the city requesting a variance shall stay the running of the time period for preliminary subdivision and short subdivision approval as is set forth in Chapters 22G.090 Article II, Preliminary Subdivision Review, and Chapter 22G.090 Article IV, Short Subdivision Review.